

Attorney Docket No.: FUSA 21.043 (100807-00100)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Yutaka KOBAYASHI
Confirmation No.: 2127
Serial No.: 10/796,232
Filed: March 9, 2004
Title: Transmission Power Control Method and Apparatus
Examiner: Tuan Hoang Nguyen
Group Art Unit: 2618

June 3, 2010

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 CFR § 1.705(d)

Sir:

In response to the revised Determination of Patent Term Adjustment under 35 U.S.C. § 154(b) issued with the Issue Notification for the subject application, Applicant respectfully requests that the revised patent term adjustment be reconsidered.

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Any fee due with this paper, including those set forth in 37 CFR § 1.18(e), may be charged to Deposit Account 50-1290.

The Notice of Allowance for the subject application was issued on February 4, 2010 with a Patent Term Adjustment of 252 days. And the Issue Notification included a revised Patent Term Adjustment of 558 days. The revision was apparently due to the “[f]ailure to issue a patent within three years of the actual filing date of the application” pursuant to 37 CFR § 1.702(b). The subject application had been pending for more than three years from the filing date of March 9, 2004 when Applicant filed a Request for Continued Examination (“RCE”) on January 31, 2008—three-year pendency date of March 9, 2007 to RCE filing date January 31, 2008 = 327 days. 37 CFR § 1.702(b)(1) Accordingly, Applicant respectfully requests that the Patent Term Adjustment be readjusted to $252 + 327 = 579$ days, instead of 558 days.

Applicant respectfully requests that this matter be resolved promptly, and that inquiries be directed to Applicant's undersigned representative at the contact number listed below.

Respectfully submitted

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